

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Lindsey Orr

v.

Civil No. 14-cv-452-PB

Esker Tatum, Warden, Federal
Correctional Institution,
Berlin, New Hampshire

O R D E R

Before the Court is a Petition for a Writ of Habeas Corpus (doc. no. 1), and two addenda thereto (doc. nos. 5 and 6), filed by Lindsey Orr, an inmate at the Federal Correctional Institution, Berlin, New Hampshire ("FCI-Berlin"), pursuant to 28 U.S.C. § 2241. The matter is here for preliminary review, pursuant to Rule 4 of the Rules Governing Section 2254 Proceedings in the United States District Courts ("§ 2254 Rules") and LR 4.3(d)(4). See § 2254 Rule 1(b) (authorizing use of § 2254 Rules for processing § 2241 petitions).

Upon review of the Petition, the Court finds that service of the Petition is warranted. The Clerk's office shall serve the Petition, and addenda thereto (doc. nos. 1, 5 and 6) on Respondent Esker L. Tatum, Jr., the warden of FCI-Berlin, in accordance with Fed. R. Civ. P. 4(i)(2), by arranging for

delivery of a summons, along with copies of the Petition (doc. no. 1) , addenda (doc. nos. 5 and 6), and this Order, on the United States Attorney for the District of New Hampshire; the Attorney General of the United States; and on Esker Tatum, by registered or certified mail.

Respondent shall file an answer or other response to the allegations in the Petition within sixty days of the date of this order. See Fed. R. Civ. P. 12(a)(2).

The Court further directs that within sixty days of filing an answer, the Respondent shall either:

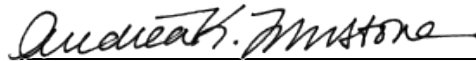
1. Move for summary judgment (attaching as exhibits all relevant court orders, transcripts, federal Bureau of Prisons records, and agency decisions); or

2. File a written statement representing that an evidentiary hearing is necessary to resolve disputed issues of material fact.

Any motion for summary judgment filed in this case, and any briefing on that motion, shall include the information required by, and shall comply with the formatting requirements and deadlines set in this Order, Fed. R. Civ. P. 56, LR 7.1, and LR 56.1. See § 2254 Rule 12; Fed. R. Civ. P. 81(a)(4). The

parties are notified that § 2254 Rules 1(b), 4-8, 10, 11(b), and 12 shall apply to this Petition. See § 2254 Rule 1(b).

SO ORDERED.

A handwritten signature in cursive script, reading "Andrea K. Johnstone", written in black ink.

Andrea K. Johnstone
United States Magistrate Judge

April 21, 2015

cc: Lindsey Orr, pro se
Seth R. Aframe, Esq.